

**REMARKS**

In response to the restriction requirement under section 35 USC 121, Applicants cancel without prejudice claims 12-21.

Applicants have amended claim 28 to depend on claim 22 to correct the typographical error cited by the Examiner.

Applicants have amended claim 26 for grammar and punctuation to allow an improved clarity of the claim language, in order to overcome the rejection of claim 26 made by the Examiner under section 112.

Examiner has rejected claims 1-3, 7-11, 22-25 and 27-29 under section 103(a) as being unpatentable over Kumar (US 6757270) in view of Chung (US 6741862). Examiner notes that Kumar fails to disclose transmitting second power control packet to control a transmit characteristics of the reverse supplemental channel. Furthermore, Examiner notes, however, Chung discloses puncturing (multiplexing) reverse power control bits to change the reverse data rate of reverse link channel, while citing col. 11, lines 53-56.

Applicants have reviewed the cited reference Chung. Chung's method is for controlling data rate of a reverse link channel. The data rate control information is sent, in one example, 16 times in a time frame, once per time slot in a 16-time-slots time frame. Chung notes that the data rate of the reverse link does not change in one time frame, nor there is a need. Therefore, Chung proposes to send power control bits in some of the time slots to control the transmit power of the reverse link. It is well known that in a CDMA communication system, the transmission data rate and power level are closely related, in as much that higher power level may be needed for higher data rate transmissions, and lower power level may be needed for lower data rate transmissions, depending on the interference level. If the interference level changes within a time frame, the data rate or power level may need to change to maintain adequate reception quality over all the time slots (16 time slots in one time frame). As Chung proposes, if the data rate remains constant during a 16-time-slots time frame, the power level may be changed to compensate for the change in the interference level. Therefore, Chung suggests to send power control bits in some of the 16 time slots to control the power level while the data rate is remained constant for

duration of that time frame. Therefore, the data rate control channel is punctured with power control bits for the same mobile station and the same reverse link channel.

In contrast, claim 1 recites the first power control stream is used to control the transmit power of the reverse supplemental channel in combination with at least one other reverse link channel. This means that the first power control stream controls the power level of more than one channel, including the reverse supplemental channel. Furthermore, claim 1 recites the second power control stream is used to control a transmit characteristic of the reverse supplemental channel. This means that the second power control stream controls only the supplemental channel. Please see the specification of the application for different embodiments and further details.

Therefore, Kumar and Chung do not in combination or individually suggest or disclose a first and second power control streams, wherein the first power control stream controls transmit power of the reverse supplemental channel in combination with at least one other reverse link channel, and the second power control stream controls only the reverse supplemental channel. As such, claim 1 is allowable over Kumar in view of Chung. Similar limitation exist in other independent claims. As such, all claims are allowable over Kumar in view of Chung.

**REQUEST FOR ALLOWANCE**

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: January 20, 2005

By: 

S. Hossain Beladi, Reg. No. 42,311  
(858) 651-4470

QUALCOMM Incorporated  
5775 Morehouse Drive  
San Diego, California 92121  
Telephone: (858) 658-5787  
Facsimile: (858) 658-2502